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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

CASE NO. CV 10-03561 WHA

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING SELECTION,
ARRANGEMENT AND STRUCTURE**

Judge: Honorable William H. Alsup

STIPULATION

WHEREAS, the parties have met and conferred and have reached agreement regarding a statement that Google made in a brief to the Court regarding substantial similarity of the selection, arrangement and structure of API elements in the 37 accused API packages;

NOW THEREFORE THE PARTIES HEREBY STIPULATE AND AGREE as follows:

1. The following statement shall be read to the jury on the same terms as the other statements in the Court's Order Granting in Part Oracle's Motion to Deem Issues Undisputed and Denying Relief Regarding Statement to Jury (ECF No. 938):

For the 37 accused API packages, Android and Java 2 SE Version 5.0 have substantially the same selection, arrangement and structure of API elements.


2. This stipulation is made without prejudice to Oracle arguing that the selection, arrangement and structure of the 37 API packages are virtually identical between Android and Java 2 SE.

3. This stipulation is made without prejudice to Google arguing that the 37 accused API packages in Android and Java 2 SE are only a small portion of the Android and Java platforms, respectively, as a whole.

ORDER

The foregoing stipulation is approved, and IT IS SO ORDERED.

Date: April 20, 2012.



Honorable William H. Alsup
Judge of the United States District Court

1 Dated: April 19, 2012

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2 By: /s/ Marc David Peters

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ATTESTATION

I, Marc David Peters, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER REGARDING SELECTION, ARRANGEMENT AND STRUCTURE. In compliance with General Order 45, X.B., I hereby attest that Matthias A. Kamber has concurred in this filing.

Date: April 19, 2012

/s/ Marc David Peters